PUBLIC HEARING:

1. **Location:** 18325 BAILEY AVE and VACANT PARCEL TO EAST  
   **Owner:** LITTLE FLOWER VENTURES LLC  
   **Requested Action:** Variance(s): 1) from the minimum required lot width of 60' to 40' and 2) from the minimum required side setback of 6' to 4'  
   **Zoning:** R: Single Family District (County)

2. **Location:** 51699 PRIMROSE RD  
   **Owner:** RICK A & SHARON RIEFF  
   **Requested Action:** Variance(s): 1) from the minimum required side setback of 8' to 4' 8"  
   **Zoning:** R: Single Family District (County)

3. **Location:** 65657 BEECH RD  
   **Owner:** JESSE A AND JENNIFER J HOLMES  
   **Requested Action:** Variance(s): (1) from the minimum required front setback of 35' to 14' and (2) from the minimum required side setback of 30' to 26'  
   **Zoning:** A: Agricultural District (County)

4. **Location:** 418 W SUPERIOR ST  
   **Owner:** ROBERT EARL AND SANDRA KAY GRIGGS  
   **Requested Action:** Variance(s): 1) from the maximum square foot area for accessory buildings of 1200 square feet to 2180 square feet  
   **Zoning:** R1 Single Family District (Osceola)

5. **Location:** 51455 SIMMONS DR  
   **Owner:** MICHAEL H BOLIN AND REBECCA JOYCE PODELL-BOLIN  
   **Requested Action:** Variance(s): 1) to allow for an accessory structure on a parcel without road frontage  
   **Zoning:** R: Single Family District (County)
ITEMS NOT REQUIRING A PUBLIC HEARING:

1. Findings of Fact
   A. Approval of the Findings of Fact from the July 8, 2020 Area Board of Zoning Appeals meeting.
2. Minutes
   A. Approval of the minutes from the July 8, 2020 Area Board of Zoning Appeals meeting.
3. Other Business
4. Adjournment

The Title VI Coordinator has made available at this meeting/hearing a voluntary Public Involvement Survey to collect demographic data to monitor and demonstrate St. Joseph County’s compliance with its non-discrimination obligations under Title VI and Federal Regulation 23CFR 200.9(b)(4), and more importantly, ensure that affected communities and interested persons are provided equal access to public involvement. Compliance is voluntary. However, in order to demonstrate compliance with the federal regulation, the information requested must be documented when provided. It will not be used for any other purpose, except to show that those who are affected or have an interest in proceedings or the proposed project have been given an opportunity to provide input throughout the process.
Division of Planning and Zoning

MEMORANDUM

DATE: August 11, 2020

TO: Area Board of Zoning Appeals

FROM: Shawn Klein, Planner

SUBJECT: August 12, 2020 Area Board of Zoning Appeals Hearing-REVISED-

The following comments are being made concerning items to be heard at the Area Board of Zoning Appeals meeting on July 8, 2020. The absence of comments on any particular item should not be construed to mean that the staff agrees with the request.

Variances

A variance from any of the development standards of the Zoning Ordinance may only be approved upon the Board of Zoning Appeals making a written determination and adopting appropriate Findings of Fact, based upon the evidence presented at a public hearing, that:

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community;
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and,
3. The strict application of the terms of this Chapter would result in practical difficulties in the use of the property.

1. Petition of Little Flower Ventures LLC (18325 Bailey Ave and Vacant Parcel to East)

Requested Action: Variance(s): 1) from the minimum required lot width of 60’ to 40’ and 2) from the minimum required side setback of 6’ to 4’

The staff recommends approval of the revised variance requests from the minimum required lot width of 60’ to 45’ and from the minimum required side setback of 6’ to 5’ based on a revised site plan submitted on August 10, 2020 (now included in this packet), on the condition that no garage doors shall be oriented toward the street. Staff of the Area Board of Zoning Appeals and the Zoning Administrator for the City of South Bend have concluded that the site plan is consistent with the goals of the Morningside Neighborhood Land Use & Pedestrian Plan. Specifically, limiting driveway access to four points along Bailey Avenue will improve pedestrian safety and connectivity, while placing the garages at the rear of the properties will enhance the streetscape, character and livability of the area. The County Engineer’s office has expressed concerns over stormwater management, which the petitioner must address prior to subdivision approval.
2. Petition of Rick A & Sharon Rieff (51699 Primrose Road)
   Requested Action: Variance(s): 1) from the minimum required side setback of 8' to 4' 8"

   The staff recommends approval of this variance. This is simply an effort by the petitioner to legalize
   the present location of their house which does not meet the side setback as a result of an error on the
   part of the developer. Impact on adjacent properties will be no greater than has been the case since
   the construction of the house in 2001 and is minimal, as the house to the north was constructed
   approximately 30' north of the property line. Strict application of the terms of the Zoning Ordinance
   could hinder petitioners’ ability to use and potentially sell the existing house.

3. Petition of Jesse A & Jennifer J Holmes (65657 Beech Road)
   Requested Action: Variance(s): (1) from the minimum required front setback of 35' to 14’ and (2)
   from the minimum required side setback of 30' to 26'

   The staff recommends approval of the variances. While a reduced side setback is not ideal for the
   continued use and value of the adjacent farmland, the request is a minor reduction and the petitioner
   has demonstrated a practical difficulty in complying with Agricultural District setbacks on a small
   triangular lot. Please note that although the Area Board of Zoning Appeals has the authority to grant a
   side setback variance, the proposed house addition would place the structure within the 75’ County
   regulated drain easement for the Billman Ditch. A variance to allow construction in this easement would
   need to be granted by the Billman Ditch Association, the organization which manages the ditch. The
   front setback reduction would place the structure approximately 38.5’ from the pavement, and this
   Board approved a similar front setback variance which allowed for a porch to be built within
   approximately 37’ of the pavement on July 8, 2020.

4. Petition of Robert Earl & Sandra Kay Griggs (418 W Superior Street)
   Requested Action: Variance(s): 1) from the maximum square foot area for accessory buildings of
   1200 square feet to 2180 square feet

   As the Town of Osceola fully supports the request variance, staff recommends that the variance be
   granted.

5. Petition of Michael H Bolin & Rebecca Joyce Podell-Bolin (51455 Simmons Drive)
   Requested Action: Variance(s): 1) to allow for an accessory structure on a parcel without road
   frontage

   The staff recommends approval of this variance. In February of 2020, the County Council approved an
   amendment to the St. Joseph County Zoning Ordinance to permit accessory structures to be constructed
   on parcels without a primary use or structure if the parcel abuts an associated primary use and is under
   the same ownership. In this case, the petitioners would like to construct an accessory structure on the
   approximately ½ acre parcel immediately to the rear of the parcel containing their home (note that the
   two parcels owned by the petitioners may appear as one on GIS because they have been consolidated
   under the same tax ID, but they are in fact two separate parcels). The variance is needed as the parcel
   lacks frontage and is therefore not a buildable lot. An accessory structure on this property will not have
any greater impact on adjacent properties than if the entirety petitioners’ property were contained in one parcel, in which case the structure would be permitted by right. The lack of frontage will actually reduce the chance of abuse of the new accessory without primary rule in this instance, as it is unlikely that this parcel, which lacks road access, would ever be sold separately from the parcel containing the dwelling unit.
ST. JOSEPH COUNTY (UNINCORPORATED)
PETITION FOR VARIANCE and/or SPECIAL USE

PROPERTY INFORMATION:

The property Tax Key Number(s) is/are: 002-1085-3945; 002-1085-3948

The property address:
54196 Burdette St and Vacant Parcels on Bailey
South Bend, IN 46637

If the application only includes a portion of the property listed above, provide the Legal Description for the petition area and the total site area: Enter legal description

VARIANCE INFORMATION:

List each variance being requested. The variance request must specifically list the requirement and the desired request (e.g. From the required [enter requirement] to [enter request going to]). Additional examples can be found on our website. Please contact the Staff if you need assistance.

1) From the minimum required lot width of 60' to 40'
2) From the minimum required side setback of 6' to 4'

2) A statement on how each of the following standards for the granting of variances is met:

(a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: The approval of these variances would not be injurious to the public health, safety, morals and general welfare of the community. Reducing the lots widths and allowing smaller sides yards between the new homes would allow for new investment in this neighborhood in traditional urban forms. All building codes will be complied with to ensure the safety of buildings located in within the proposed distance of each other.

(b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: Because the side yards would mainly between the homes the developer will be constructing, approving a reduction should not affect the use and value of adjacent properties. The neighborhood features numerous structures that are located within the required side setback and the proposed setback is consistent with properties within the neighborhood. Reducing the lot widths will not affect the use and value of adjacent properties.

(c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: The strict application of this Ordinance would make it difficult to achieve the desired density to make this project appeal to prospective home buyers. We would like to invest new construction to help improve this neighborhood.

-FILED-
MAY 04 2020
PROJECT INFORMATION:
Provide a brief and descriptive narrative of the proposed project:

It is proposed to remove the existing structures and subdivide the lots to allow the construction of new homes. The lots are proposed to be approximately 40' by 150' and the homes will be 32' by 80'.

PETITIONER INFORMATION:

Name and address of property owner(s) of the petition site:

Little Flower Ventures LLC
ATTN: Brian Giuffrida
3600 Silver Dollar Cir
Austin, TX 78744
(512)705-6582
brian@littleflowerventures.com

Name and address of additional property owners, if applicable:

Name and address of petitioner(s), if different than the petitioner:

Name
Address
City, State Zip Code
Phone number with Area Code
E-Mail Address

Name and address of additional property owners, if applicable:

CONTACT PERSON:
Abonmarche Consultants
ATTN: Mike Huber
730 Lincolnway East
South Bend, IN 46601
(574) 347-4610
mhuber@abonmarche.com

BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA BOARD OF ZONING APPEALS AND COUNTY COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS RELATED TO THIS PETITION.

Signature(s) of all property owner(s):

[Signature]
04/21/2020

[Signature]

-FILED-
MAY 04 2020
Article 1 - Entity Name and Type
The filing entity being formed is a limited liability company. The name of the entity is:

Little Flower Ventures, LLC

Article 2 - Registered Agent and Registered Office

☐ A. The initial registered agent is an organization (cannot be company named above) by the name of:

OR

☑ B. The initial registered agent is an individual resident of the state whose name is set forth below:

Name:
Brian Giuffrida

Article 3 - Governing Authority

☐ A. The limited liability company is to be managed by managers.

OR

☑ B. The limited liability company will not have managers. Management of the company is reserved to the members.

The names and addresses of the governing persons are set forth below:

Managing Member 1: Brian Giuffrida    Title: Managing Member
Address: 3600 Silver Dollar Circle    Austin TX, USA 78744

Managing Member 2: Jacqueline Dimpel    Title: Managing Member
Address: 2219 Sawdust Road #1401    The Woodlands TX, USA 77380

Managing Member 3: John Dimpel     Title: Managing Member
Address: 2219 Sawdust Road #1401    The Woodlands TX, USA 77380

Managing Member 4: Sharon Giuffrida     Title: Managing Member
Address: 3600 Silver Dollar Circle    Austin TX, USA 78744

Article 4 - Purpose
The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.

Supplemental Provisions / Information

As authorized by the provisions of Section 101.601 of the Texas Business Organizations Code, the filing entity may establish or provide for the establishment of one or more designated series of members, managers, membership interests, or assets that: (1) has separate rights, powers, or duties with respect to specified property or obligations of the limited liability company or profits and losses associated with specified property or obligations; or (2) has a separate business purpose or investment objective.

In accordance with the provisions of Section 101.602 of the Texas Business Organizations Code: (1) the debts, liabilities, obligations, and expenses incurred, contracted for, or otherwise existing with respect to a particular series shall be enforceable against the assets of that series only, and shall not be enforceable against the assets of the filing entity generally or any other series; and (2) none of the debts, liabilities, obligations, and expenses incurred, contracted for, or otherwise existing with respect to the filing entity generally or any other series shall be enforceable against the assets of a particular series.

[The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer are set forth below.

Arendes, Green, Richtermeyer & Stahl, PLLC  
717 Santaluz Path, Austin, Texas 78732

Effectiveness of Filing

☑ A. This document becomes effective when the document is filed by the secretary of state.

OR

☐ B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Adam Stahl, Member, Arendes, Green, Richtermeyer & Stahl, PLLC

Signature of Organizer

FILING OFFICE COPY

-FILED-

MAY 04 2020
ST. JOSEPH COUNTY (UNINCORPORATED)
PETITION FOR VARIANCE and/or SPECIAL USE

PROPERTY INFORMATION:

The property Tax Key Number(s) is/are: 021-1029-051712

The property address:
51699 Primrose Rd.
South Bend, In. 46628

If the application only includes a portion of the property listed above, provide the Legal Description for the petition area and the total site area: Lot 2 Westwood Hills section two Warren Twp. St. Joseph co., In.

VARIANCE INFORMATION:

List each variance being requested. The variance request must specifically list the requirement and the desired request (e.g. From the required [enter requirement] to [enter request going to]). Additional examples can be found on our website. Please contact the Staff if you need assistance.

1) Home is required to have 8' setback from property line. North West corner of home has 4' 8" setback. I am requesting variance to allow current 4' 8" setback.

2) A statement on how each of the following standards for the granting of variances is met:

(a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: Home was built in 2001 and has not hindered any above criteria.

(b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: Currently it is unnoticeable that the home is to close to the property line, it was pointed out when new septic was installed in 2019. The home to the North that boarders property and this home have open yards. In addition neighborhood covenance has strict fencing regulations.

(c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: There would be no practical effect to the use, the home has existed as is for 19 years.

SPECIAL USE INFORMATION (if the petition does not include a Special Use, please skip to next section):

1) The Special Use(s) being requested:

2) A statement on how each of the following standards for the granting of a Special Use is met:

(a) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare:

(b) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein:

(c) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein; and:

(d) The proposed use is compatible with the recommendations of the Comprehensive Plan.

* In the case of a Special Use, the petitioner shall be held to the representations made on the Preliminary Site Plan included with this petition.
PROJECT INFORMATION:
Provide a brief and descriptive narrative of the proposed project:

As previously stated the home was completed in 2001. Do to the developer
advising improper location of boundry stake, the lot was staked in rear of property
10' from actual property line resulting in North West corner of home being 4' 8'' from
boundry. This is unnoticeable without survey.

PETITIONER INFORMATION:

Name and address of property owner(s) of the petition site:

Rick and Sharon Rieff
51699 Primrose Rd.
South Bend, In. 46628
574-292-8013
rrieff35@aol.com

Name and address of additional property owners, if applicable:

Name and address of petitioner(s), if different than the petitioner:

Name and address of additional property owners, if applicable:

CONTACT PERSON:

BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA BOARD OF ZONING APPEALS AND COUNTY COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS RELATED TO THIS PETITION.

Signature(s) of all property owner(s):

____________________________________
[Signature]

____________________________________
[Signature]
ST. JOSEPH COUNTY (UNINCORPORATED)
PETITION FOR VARIANCE and/or SPECIAL USE

PROPERTY INFORMATION:
The property Tax Key Number(s) is/are: 011-1055-070501
The property address:
65657 Beech Rd
Wakarusa, Indiana 46573

If the application only includes a portion of the property listed above, provide the Legal Description for the petition area and the total site area: .55 Acres total property area

VARIANCE INFORMATION:
List each variance being requested. The variance request must specifically list the requirement and the desired request (e.g. From the required [enter requirement] to [enter request going to]) Additional examples can be found on our website. Please contact the Staff if you need assistance.

1) Variance to add addition to garage that attaches to a second story addition on house

2) A statement on how each of the following standards for the granting of variances is met:
   (a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: Addition will be approximately 40' from edge of road, overhead view shows public right of way of 25' into my yard from edge of gravel along roadway. addition will be approximately 14' from right of way or approximately 40' from edge of road and not obstructing view of traffic on road or neighbors access to road through their personal driveways.
   (b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: Addition will not affect any use of neighboring properties, it will increase curb appeal to the general area
   (c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: this variance is being filed so that current property can be updated to better accommodate our family and overcome the practical difficulties we are facing as things are currently, property is a triangle piece and this addition makes better use of property as a whole for us or any future owners

SPECIAL USE INFORMATION (if the petition does not include a Special Use, please skip to next section):

1) The Special Use(s) being requested: Insert text

2) A statement on how each of the following standards for the granting of a Special Use is met:
   (a) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare: Please explain how your Special Use petition addresses this criterion
   (b) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein: Please explain how your Special Use petition addresses this criterion
   (c) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein; and: Please explain how your Special Use petition addresses this criterion
   (d) The proposed use is compatible with the recommendations of the Comprehensive Plan. Please explain how your Special Use petition addresses this criterion
PROJECT INFORMATION:
Provide a brief and descriptive narrative of the proposed project:
add a angle attachment to garage so that garage is 3 stalls and tie rafters into the proposed second story 400 sq ft addition of house along the south side of current structure

PETITIONER INFORMATION:

Name and address of property owner(s) of the petition site:
Jesse Holmes, Jennifer Holmes
65657 Beech Rd
Wakarusa, In 46573
574-849-1785
hemiholmes@yahoo.com

Name and address of additional property owners, if applicable:

Name and address of petitioner(s), if different than the petitioner:

Address
City, State Zip Code
Phone number with Area Code
E-Mail Address

Name and address of additional property owners, if applicable:

CONTACT PERSON:

Name
Address
City, State Zip Code
Phone number with Area Code
E-Mail Address

BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA BOARD OF ZONING APPEALS AND COUNTY COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS RELATED TO THIS PETITION.

Signature(s) of all property owner(s):
TOWN PETITION FOR VARIANCE and/or SPECIAL EXCEPTION USE

PROPERTY INFORMATION:

The property Tax Key Number(s) is/are: 015-1151-0108

The property address:
418 W. Superior St.
Osceola, IN 46561

If the application only includes a portion of the property listed above, provide the Legal Description for the petition area and the total site area:

VARIANCE INFORMATION:

List each variance being requested. The variance request must specifically list the requirement and the desired request (e.g. From the required [enter requirement] to [enter request going to]) Additional examples can be found on our website. Please contact the Staff if you need assistance.

1) I am requesting a variance of 468.98 sq. ft. to build a 2100 sq. ft. pole barn that exceeds the sq. ft. of my home, which is 1631.02 sq. ft.

2) A statement on how each of the following standards for the granting of variances is met:

   (a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: The structure will not be injurious to the public health, safety morals and general welfare of the community.

   (b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: The addition of the pole barn will be an improvement to my property and will increase the value of my home and property, which should also improve the property values in my neighborhood.

   (c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: I am requesting this variance because I need the extra storage space for my family. I like to keep my properties clean and like to store items inside rather than outside, which would cause my property to be unsightly.

SPECIAL EXCEPTION USE INFORMATION (if the petition does not include a Special Exception Use, please skip to next section):

1) The Special Exception Use(s) being requested: N/A

2) A statement on how each of the following standards for the granting of a Special Exception Use is met:

   (a) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare: N/A

   (b) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein: N/A

   (c) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein; and: N/A

   (d) The proposed use is compatible with the recommendations of the Comprehensive Plan: N/A
PROJECT INFORMATION:
Provide a brief and descriptive narrative of the proposed project:

I am seeking a variance to build a 30' x 70' pole barn (2100 sq. ft.) because I need the extra storage space for my family. I want to keep things stored inside so my property remains clean and free of clutter. The square footage of the pole barn is 468.98 sq. ft. greater than my home, which is 1631.02 sq. ft.

PETITIONER INFORMATION:

Name and address of property owner(s) of the petition site:

Bob and Sandra Griggs
418 W. Superior Street
Osceola, IN 46561
574.679.4165
sagrid@aol.com

Name and address of additional property owners, if applicable:

Name and address of petitioner(s), if different than the petitioner:

Name and address of additional property owners, if applicable:

CONTACT PERSON:

Bob and Sandra Griggs
418 W. Superior Street
Osceola, IN 46561
574.679.4165
sagrid@aol.com

BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA BOARD OF ZONING APPEALS AND TOWN COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS RELATED TO THIS PETITION.

Signature(s) of all property owner(s):
July 2, 2020

Area Plan Commission
South Bend, IN

RE: Pole Barn Variance – Bob and Sandra Griggs – 418 W. Superior

To Whom It May Concern,

The Town is requiring for Bob and Sandra Griggs to apply for a variance to build a pole barn that is approximately 468 sq. ft. larger than their home.

The Town is in support of the granting of this variance. Thank you.

Regards,

Denese Thornburg
Clerk-Treasurer
PROPOSED 30' X 70' BARN
2100 SF WALL HEIGHT 14'
029 STEEL SIDE/ROOF
POUR CONSTRUCTION
CONCRETE FLOOR
CONSTRUCTION PLANS PROVIDED BY SUPPLIER.

1 CAR, ATTACHED GARAGE
350 SF EXISTING

EXISTING 1 1/2 STORY HOME
1620 SF FIRST FLOOR

EXISTING PAVED DRIVE

G6' RAW, 21' PAVEMENT

-F I L E D-
JUL 06 2020
Attached garage: 320 sq. ft.
Closed porch: 120 sq. ft.

Wants to build barn @ 2100 sq. ft. There is a difference of 468.98 sq. ft.
How long for approval?

July? Deadline 12 noon.

Aug. 12 - 1:30 p.m.

FILED
JUL 06 2020
VARIANCE – POLE CONSTRUCTION STORAGE UNIT IN A R-1 DISTRICT
WITHIN THE TOWN OF OSCEOLA, INDIANA

Property information: 418 W. Superior Street, Osceola, Indiana 46561

Parcel ID: 015-1151-0108
State ID: 71-10-16-178-003.000-030

Owners: Robert Earl and Sandra Kay Griggs
Mailing Address: 421 W. Superior Street, Osceola, Indiana 46561

Zoned: Residential Single-Family Dwelling on a Platted Lot

Legal Description: Lot 2 & Vac Alley N & Adj Barnes Add Alley Vac 4/11/94
Lot size 66' x 279'
Acres: 0.43
No adverse easements, encroachments or other adverse conditions noted at
time of review.

Submitted By: Robert and Sandra Griggs
421 W. Superior Street, Osceola 46561
Phone no. 574.679.4165

- FILED -
JUL 06 2020

File no. 2057-20
ST. JOSEPH COUNTY (UNINCORPORATED)
PETITION FOR VARIANCE and/or SPECIAL USE

PROPERTY INFORMATION:

The property Tax Key Number(s) is/are: 71-04-18-176-008.000-003 CLAY

The property address: 51455 Simmons Dr, South Bend IN 46637

If the application only includes a portion of the property listed above, provide the Legal Description for the petition area and the total site area: N00°59'W 149.89'(M) N00°00'00"E 150.00 (R)

VARIANCE INFORMATION:

List each variance being requested. The variance request must specifically list the requirement and the desired request (e.g. From the required [enter requirement] to [enter request going to]) Additional examples can be found on our website. Please contact the Staff if you need assistance.

1) Erect a 30' x 58' Storage Building on our back lot for exclusive lawn, garden, antique automobile, small boat and snow mobile use.

2) A statement on how each of the following standards for the granting of variances is met:

   (a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: Personal property use, to be fenced in and aesthetically pleasing to the subdivision standards set forth.

   (b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: This storage building will be smaller to the storage building adjacent to our property from the North, Farm land backs up to our property to the West. Multiple storage buildings are located throughout our subdivision and immediate surroundings.

   (c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: This would not create difficulties to us or surrounding neighbors.

SPECIAL USE INFORMATION (if the petition does not include a Special Use, please skip to next section):

1) The Special Use(s) being requested: Insert text

2) A statement on how each of the following standards for the granting of a Special Use is met:

   (a) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare: Please explain how your Special Use petition addresses this criterion

   (b) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein: Please explain how your Special Use petition addresses this criterion

   (c) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein; and: Please explain how your Special Use petition addresses this criterion

   (d) The proposed use is compatible with the recommendations of the Comprehensive Plan. Please explain how your Special Use petition addresses this criterion

* In the case of a Special Use, the petitioner shall be held to the representations made on the Preliminary Site Plan included with this petition.
PROJECT INFORMATION:
Provide a brief and descriptive narrative of the proposed project:
Erect a 30’ x 58’ storage building with 11’ side walls, with roof pitch in respect and height requirements in accordance to the home’s roof pitch. Add service door, windows, overhead door with canopy, and awnings. Steel Construction grey in color to match home, with steel roof.

PETITIONER INFORMATION:

Name and address of property owner(s) of the petition site:
Michael & Rebecca Bolin
51455 Simmons Dr
South Bend, Indiana 46637
574-274-8076
rebeccabolin@icloud.com

Name and address of additional property owners, if applicable:

Name and address of petitioner(s), if different than the petitioner:
Name
Address
City, State Zip Code
Phone number with Area Code
E-Mail Address

Name and address of additional property owners, if applicable:

CONTACT PERSON:
Rebecca Bolin
51455 Simmons Dr
South Bend, Indiana 46637
574-274-8076
rebeccabolin@icloud.com

BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA BOARD OF ZONING APPEALS AND COUNTY COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS RELATED TO THIS PETITION.

Signature(s) of all property owner(s):

Michael Bolin
Rebecca Bolin

[Signatures]
BOUNDARY SURVEY
PART OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 3 EAST,
CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA.

SURVEY PARCEL
1.00 ACRES
51455 SIMMONS DRIVE

AUTEN ROAD (R/W VARIES)

SURVEYOR'S REPORT

TITLE: HOUSING/LOT NAME: REBECCA BOLIN

1. IN ACCORDANCE WITH TITLE 43, ARTICLE XII, SECTION 19 OF THE GEORGIA CODE 1977, THE SURVEYOR GRANTS THE SEAL AND
SEAL OF SURVEY TO THE ENCLOSED PLANNED UNIT DEVELOPMENT RECORD OF THE SURVEY.

2. THE RECORDED SEAL OF SURVEY IS THE SEAL OF THE SURVEY.

3. THE RECORDED SEAL OF SURVEY MAY BE Used BY THE OWNER OF THE SURVEY.

4. THE RECORDED SEAL OF SURVEY IS THE SEAL OF THE SURVEY.

5. THE RECORDED SEAL OF SURVEY IS THE SEAL OF THE SURVEY.

EXISTING LEGEND

SURVEYOR: DAVID M. AMBROSE, R.S.

INSTRUMENT: TRIMBLE TSC 2000

SCALE: 1" = 20'

FILE #: M190140

LEGAL DESCRIPTION

LOT 3 OF DOCKWOOD VILLAGE SUBDIVISION AS RECORDED IN THE OFFICE OF THE RECORDED
OF ST. JOSEPH COUNTY, INDIANA.

ALSO, A 100 FEET BY 130 FEET PARCEL LOCATED ADJOINING LOT 3 OF THE RECORDED
LOT OF DOCKWOOD VILLAGE SUBDIVISION AS RECORDED IN THE OFFICE OF THE RECORDED
OF ST. JOSEPH COUNTY, INDIANA.

DRAWN,and CERTIFIED TO BE TRUE AND CORRECT.

DATE: 7/17/19

REVISIONS

FILED
AS OF 9/29/19

NOTES:

1. ALL FIGURES SHOWN ON THE SURVEY ARE APPROXIMATE AND ARE NOT ACCURATE TO SCALE.

2. THE SURVEYOR IS RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.

3. THE SURVEYOR IS RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.

4. THE SURVEYOR IS RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.

5. THE SURVEYOR IS RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.

THE SURVEYOR IS RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.

REMARKS:

1. THE SURVEYOR IS RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.

2. THE SURVEYOR IS RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.

3. THE SURVEYOR IS RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.

4. THE SURVEYOR IS RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.

5. THE SURVEYOR IS RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.

SIGNATURES:

SURVEYOR: DAVID M. AMBROSE, R.S.

INSTRUMENT: TRIMBLE TSC 2000

SCALE: 1" = 20'

FILE #: M190140
FINDINGS OF FACT

GROWING KIDS SOUTH LLC AN INDIANA LIMITED LIABILITY CO
17850 IRELAND RD
St. Joseph County

On Tuesday, July 8, 2020, the Area Board of Zoning Appeals took the following actions on the variances from the Development Standards of the St. Joseph County Zoning Ordinance:

APPROVED

1) from the maximum copy area of 32 square feet each for two signs for a school or other institutional use to allow for two signs with a copy area of 64 square feet each

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community.
   The proposed sign will meet setback and site triangle standards, therefore not posing any threat to safety. Allowing a larger sign will have no impact on public health, morals, or general welfare.

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
   The area adjacent to the property is predominantly commercial in nature and features signs of equal size or larger than the sign being proposed. Therefore, neighboring use and value will not be affected in a substantially adverse manner.

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property.
   Strict application of the terms of this Chapter would not allow the property owner to install a sign of a size which is consistent with the character of the area.

Roll Call:
Robert Hawley - Joe Velleman - Yes
Sidney Shafer - Yes Dan Caruso - Yes
Michael Urbanski - John O’Brien - Yes
Jack Young -

The Minutes of the July 8, 2020 meeting of the Area Board of Zoning Appeals are hereby incorporated by reference herein.

Adopted by the Area Board of Zoning Appeals of St. Joseph County, Indiana, on August 11, 2020

Joe Velleman, Chairman
Area Board of Zoning Appeals
St. Joseph County, Indiana

ATTEST:

Abby Wiles, Executive Director
FINDINGS OF FACT

YOUN & SUK PARK
51340 BITTERSWEET RD
St. Joseph County

On Tuesday, July 8, 2020, the Area Board of Zoning Appeals took the following actions on the variances from the Development Standards of the St. Joseph County Zoning Ordinance:

APPROVED 1) from the landscaping shown on the approved site plan to the relocation of two shade trees and elimination of one shade tree

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community.
   As the screening properties of the proposed landscape plan are equivalent to the prior approved plan, the general welfare of the community is protected. The variance will have no effect on public health, safety, or morals.

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
   The altered site plan will still ensure that the property has a pleasant appearance along the street. Therefore, the use and value of the area adjacent to the property will not be adversely affected.

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property.
   Strict application of the terms of this Chapter would require the petitioners to remove an existing mature tree to effectively provide the same level of screening.

Roll Call:
Robert Hawley - Joe Velleman - Yes
Sidney Shafer - Yes Dan Caruso - Yes
Michael Urbanski - John O’Brien - Yes
Jack Young -

The Minutes of the July 8, 2020 meeting of the Area Board of Zoning Appeals are hereby incorporated by reference herein.

Adopted by the Area Board of Zoning Appeals of St. Joseph County, Indiana, on August 11, 2020

Joe Velleman, Chairman
Area Board of Zoning Appeals
St. Joseph County, Indiana

ATTEST:
Abby Wiles, Interim Executive Director
FINDINGS OF FACT

LARRY JR AND TINA KLINE
13638 DAY RD
St. Joseph County

On Tuesday, July 8, 2020, the Area Board of Zoning Appeals took the following actions on the variances from the Development Standards of the St. Joseph County Zoning Ordinance:

**APPROVED**

1) from the requirement that all lots have frontage on a public street to allow for a private street

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community.
   A private road will have no greater impact on public health, safety, morals and general welfare of the community than a public road. An easement created during the subdivision process will ensure all parcels have access to the public street system.

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
   The effects upon the use and value of adjacent properties will be identical to those caused by construction of a public road.

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property.
   Strict application of the terms of this Chapter would required the subdivider to dedicate a public road for a development intended to be occupied by family members for the foreseeable future.

Roll Call:
Robert Hawley - Joe Velleman - Yes
Sidney Shafer - Yes Dan Carus - Yes
Michael Urbanski - John O’Brien - Yes
Jack Young -

The Minutes of the July 8, 2020 meeting of the Area Board of Zoning Appeals are hereby incorporated by reference herein.

Adopted by the Area Board of Zoning Appeals of St. Joseph County, Indiana, on August 11, 2020

Joe Velleman, Chairman
Area Board of Zoning Appeals
St. Joseph County, Indiana

ATTEST:

Abby Wiles, Interim Executive Director
FINDINGS OF FACT

TIMOTHY F AND ADRIENNE M PASSWATER
51005 LILAC RD
St. Joseph County

On Tuesday, July 8, 2020, the Area Board of Zoning Appeals took the following actions on the variances from the Development Standards of the St. Joseph County Zoning Ordinance:

APPROVED 1) to allow for an accessory structure on a parcel without road frontage

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community.

   The proposed accessory structure will be subject to the same development standards enacted to protect public health, safety, morals, and general welfare as any other accessory structure constructed on a residential parcel in the County. The proposed accessory structure does not pose a greater threat to public health, safety, morals, and general welfare merely because petitioners' property is split into two lots such that one does not have road frontage. Accessory structures on separate lots with frontage actually pose a greater threat to general welfare, as there is a risk that they will be sold separately and continue to be used without an associated primary residential use.

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

   As the proposed accessory structure is subject to setbacks and size and height restrictions of the zoning ordinance, its impact on the use and value of surrounding properties will be no greater than the resulting impact of an accessory structure under any circumstances. By right, petitioners could replat the property into one lot and constructed a structure with an identical impact on the adjacent area.

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property.

   The strict application of the terms of this Chapter would prevent the petitioners from utilizing the full acreage of their yard in a manner consistent with single family residential use.

Roll Call:

   Robert Hawley - Yes
   Sidney Shafer - Yes
   Michael Urbanski - Yes
   Joe Velleman - Yes
   Dan Caruso - Yes
   John O’Brien - Yes
   Jack Young -

The Minutes of the July 8, 2020 meeting of the Area Board of Zoning Appeals are hereby incorporated by reference herein.

Adopted by the Area Board of Zoning Appeals of St. Joseph County, Indiana, on August 11, 2020

Joe Velleman, Chairman
Area Board of Zoning Appeals
St. Joseph County, Indiana

ATTEST:

Abby Wiles, Interim Executive Director
FINDINGS OF FACT

LAIDIG MELISSA ANN
68323 DOGWOOD RD
St. Joseph County

On Tuesday, July 8, 2020, the Area Board of Zoning Appeals took the following actions on the variances from the Development Standards of the St. Joseph County Zoning Ordinance:

APPROVED

1) from the required minimum lot area of 20 acres to 6.2 acres

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community.
   The variance will not be injurious to the general welfare of the community. The remaining balance of the existing parcel will be made an undevelopable outlot. Therefore, no additional buildable lots will be created in the agricultural district and the currently cultivated land will most likely continue to be cultivated. The variance and subsequent subdivision will have no impact on public health, safety, or morals.

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
   As no new buildable lots suitable for residential uses will be created, the variance will not affect the continued agricultural use and value of the area adjacent to the property.

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property.
   Strict application of the terms of this Chapter would not allow a subdivision of land which enhances the future viability of the tillable land for agricultural use and the existing house for residential use.

Roll Call:
   Robert Hawley - Joe Velleman - Yes
   Sidney Shafer - Yes       Dan Caruso - Yes
   Michael Urbanski - John O'Brien - Yes
   Jack Young -

The Minutes of the July 8, 2020 meeting of the Area Board of Zoning Appeals are hereby incorporated by reference herein.

Adopted by the Area Board of Zoning Appeals of St. Joseph County, Indiana, on August 11, 2020

Joe Velleman, Chairman
Area Board of Zoning Appeals
St. Joseph County, Indiana

ATTEST:

Abby Wiles, Interim Executive Director
FINDINGS OF FACT

DOLAN TAYLOR
22005 MADISON ROAD
St. Joseph County

On Tuesday, July 8, 2020, the Area Board of Zoning Appeals took the following actions on the variances from the Development Standards of the St. Joseph County Zoning Ordinance:

APPROVED  1) from the minimum required front setback of 35’ to 6’

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community.
   The variance will have no effect public health, morals, or general welfare. The variance is not a threat to public safety because the porch will be approximately 30’ from the pavement edge and Madison Road is not heavily traveled.

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
   Allowing the porch to be closer to the right-of-way will have no impact on the adjacent use and value of the area. Adjacent uses are agricultural, and therefore there is no threat to neighborhood character.

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property.
   Strict application of the terms of this Chapter would prevent a house which is legally non-conforming with regard to setbacks from having a front porch which improves its appearance.

Roll Call:

Robert Hawley - Joe Velleman - Yes
Sidney Shafer - Yes Dan Caruso - Yes
Michael Urbanski - John O’Brien - Yes
Jack Young -

The Minutes of the July 8, 2020 meeting of the Area Board of Zoning Appeals are hereby incorporated by reference herein.

Adopted by the Area Board of Zoning Appeals of St. Joseph County, Indiana, on August 11, 2020

Joe Vellman, Chairman
Area Board of Zoning Appeals
St. Joseph County, Indiana

ATTEST:

Abby Wiles, Interim Executive Director
AREA BOARD OF ZONING APPEALS  
ST. JOSEPH COUNTY, INDIANA

MINUTES

Wednesday, July 8, 2020  
1:30 p.m.  
4th Floor, Council Chambers  
County-City Building, South Bend, IN

MEMBERS PRESENT:  
Dan Caruso  
John O'Brien  
Sidney Shafer  
Joe Velleman

MEMBERS ABSENT:  
Michael Urbanski  
Shawn Klein  
Ryan D. Fellows  
Samantha Keultjes  
Brandie Ecker

ALSO PRESENT:  

EXECUTIVE SESSION:

Upon a motion by Dan Caruso, being seconded by Sidney Shafer and unanimously carried, the Area Board of Zoning Appeals appointed Joe Velleman as Chairman.

Upon a motion by Dan Caruso, being seconded by Joe Velleman and unanimously carried, the Area Board of Zoning Appeals appointed John O’Brien as Vice Chairman.

PUBLIC HEARINGS:

1. The petition of GROWING KIDS SOUTH LLC AN INDIANA LIMITED LIABILITY CO seeking the following variance(s): 1) from the maximum copy area of 32 square feet each for two signs for a school or other institutional use to allow for two signs with a copy area of 64 square feet each, property located at 17850 IRELAND RD, Penn Township. Zoned R: Single Family District (County).  
   (Audio Position: 7:00)

PETITIONER

RANDY WHITEMAN of U.S. Signcrafters, with offices located at 216 Lincolnway E, Osceola, IN presented on behalf of the petitioner.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

   After careful consideration, the following action was taken:
Upon a motion by Dan Caruso, being seconded by Sidney Shafer and unanimously carried, a petition by GROWING KIDS SOUTH LLC AN INDIANA LIMITED LIABILITY CO seeking the following variances: 1) from the maximum copy area of 32 square feet each for two signs for a school or other institutional use to allow for two signs with a copy area of 64 square feet each was approved as presented, and will issue written Findings of Fact.

Sidney Shafer - Yes Joe Velleman – Yes
Dan Caruso – Yes John O'Brien - Yes

2. The petition of TIMOTHY F AND ADRIENNE M PASSWATER seeking the following variance(s): 1) to allow for an accessory structure on a parcel without road frontage, property located at 51005 LILAC RD, German Township. Zoned R: Single Family District (County).

PETITIONER
TIM PASSWATER residing at 51005 Lilac Rd. South Bend, IN presented as the petitioner.

IN FAVOR
There was no one present to speak in favor of this petition.

REMONSTRANCE
There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Dan Caruso, being seconded by John O'Brien and unanimously carried, a petition by TIMOTHY F AND ADRIENNE M PASSWATER seeking the following variances: 1) to allow for an accessory structure on a parcel without road frontage was approved as presented, and will issue written Findings of Fact.

Sidney Shafer - Yes Joe Velleman - Yes
Dan Caruso - Yes John O'Brien - Yes

3. The petition of Melissa Ann Laidig seeking the following variance(s): 1) from the required minimum lot area of 20 acres to 6.2 acres, property located at 68323 Dogwood Road, Madison Township. Zoned A: Agricultural District (County).

PETITIONER

JULY 8, 2020—AREA BOARD OF ZONING APPEALS
TERRY LANG of Lang, Feeney & Associates, Inc. with offices located at 715 S Michigan St., South Bend, IN presented on behalf of the petitioner.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Sidney Shafer, being seconded by Dan Caruso and unanimously carried, a petition by LAIDIG MELISSA ANN seeking the following variances: 1) from the required minimum lot area of 20 acres to 6.2 acres was approved as presented, and will issue written Findings of Fact.

Sidney Shafer - Yes Joe Velleman - Yes
Dan Caruso - Yes John O'Brien - Yes

4. The petition of CS VENTURES LLC seeking the following variance(s): 1) from the minimum required side setback abutting a residential use of 50' to 10', property located at 12951 MCKINLEY HWY and 12951 MCKINLEY HWY, Penn Township. Zoned I: Industrial District (County). (Audio Position: 24:15)

Upon a motion by Sidney Shafer, being seconded by Dan Caruso and unanimously carried, a petition by CS VENTURES LLC seeking the following variances: 1) from the minimum required side setback abutting a residential use of 50' to 10' was withdrawn as presented.

5. The petition of DOLAN TAYLOR seeking the following variance(s): 1) from the minimum required front setback of 35' to 6', property located at 22005 Madison Rd, Greene Township. Zoned A: Agricultural District (County). (Audio Position: 25:50)

PETITIONER

HEIDI DOLAN residing at 63704 Maple Rd., South Bend, IN presented on behalf of the petitioner.

IN FAVOR
There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Dan Caruso, being seconded by Sidney Shafer and unanimously carried, a petition by DOLAN TAYLOR seeking the following variances: 1) from the minimum required front setback of 35' to 6' was approved as presented, and will issue written Findings of Fact.

Sidney Shafer - Yes Joe Velleman - Yes
Dan Caruso - Yes John O'Brien - Yes

6. The petition of LITTLE FLOWER VENTURES LLC seeking the following variance(s): 1) from the minimum required lot width of 60' to 40' and 2) from the minimum required side setback of 6' to 4', property located at 18325 Bailey Ave and Vacant Parcel to East, Clay Township. Zoned R: Single Family District (County).

(Audio Position: 36:30)

PETITIONER

MIKE HUBER of Abonmarche, with offices located at 315 W Jefferson Blvd., South Bend, IN presented on behalf of the petitioner.

IN FAVOR

There were five people present to speak in favor of this petition. They were:
JACKIE DIMPEL residing at 54140 Burdette St., South Bend, IN
MIKE HASTINGS residing at 50643 Chestnut Rd., Granger, IN
GAIL WALTON residing at 20818 Whispering Creek Ct., South Bend, IN
LAURA SULLIVAN residing at 54278 Ivy Rd., South Bend, IN
TOM SULLIVAN residing at 54278 Ivy Rd., South Bend, IN

REMONSTRANCE

There were five people present to speak in remonstrance of this petition. They were:
PETER J AGOSTINO, of Anderson Agostino & Keller, P.C., with offices located at 131 S Taylor St., South Bend, IN
MIKE DOBSON, residing at 54165 Willis St., South Bend, IN
THOMAS SINGLETON residing at 54195 Willis St., South Bend, IN
FRANK TURATTA residing at 54220 Burdette St., South Bend, IN  
JOHN FUJAWA residing at 18284 Bailey Ave., South Bend, IN  

REBUTTAL  

MIKE HUBER of Abonmarche, with offices located at 315 W Jefferson Blvd., South Bend, IN presented the rebuttal.  

After careful consideration, the following action was taken:  

Upon a motion by Dan Caruso, being seconded by Sidney Shafer and carried, a petition by  
LITTLE FLOWER VENTURES LLC seeking the following variances: 1) from the minimum  
required lot width of 60' to 40' and 2) from the minimum required side setback of 6' to 4' was  
tabled as presented.  

7. The petition of LARRY JR AND TINA KLINE seeking the following variance(s): 1)  
from the requirement that all lots have frontage on a public street to allow for a private  
street, property located at 13638 DAY RD, Penn Township. Zoned R: Single Family  
District (County).  

PETITIONER  

MIKE HUBER of Abonmarche, with offices located at 315 W Jefferson Blvd., South Bend, IN  
presented on behalf of the petitioner.  

IN FAVOR  

There was no one present to speak in favor of this petition.  

REMONSTRANCE  

There were two people present to speak in remonstrance of this petition. They were:  
RODNEY STOECKINGER residing at 54969 Currant Rd., Mishawaka, IN  
LORI YOUNG residing at 54957 Currant Rd., Mishawaka, IN  

REBUTTAL  

MIKE HUBER of Abonmarche, with offices located at 315 W Jefferson Blvd., South Bend, IN  
presented the rebuttal.  

After careful consideration, the following action was taken:
Upon a motion by Sidney Shafer, being seconded by Dan Caruso and unanimously carried, a petition by LARRY JR AND TINA KLINE seeking the following variances: 1) from the requirement that all lots have frontage on a public street to allow for a private street was approved as presented, and will issue written Findings of Fact.

Sidney Shafer - Yes Joe Velleman - Yes
Dan Caruso - Yes John O'Brien - Yes

8. The petition of YOUN & SUK PARK seeking the following variance(s): 1) from the landscaping shown on the approved site plan to the relocation of two shade trees and elimination of one shade tree, property located at 51340 BITTERSWEET RD, Harris Township. Zoned B: Business District (County).

PETITIONER

SUK PARK residing at 51340 Bittersweet Rd., Granger, IN presented as the petitioner.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Dan Caruso, being seconded by John O'Brien and unanimously carried, a petition by YOUN & SUK PARK seeking the following variances: 1) from the landscaping shown on the approved site plan to the relocation of two shade trees and elimination of one shade tree was approved as presented, and will issue written Findings of Fact.

Sidney Shafer - Yes Joe Velleman - Yes
Dan Caruso - Yes John O'Brien - Yes

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Findings of Fact

A. Approval of the Findings of Fact from the June 25, 2020 ABZA Meeting

Upon a motion by Sidney Shafer, being seconded by Dan Caruso and unanimously carried, the Findings of Fact from the June 25, 2020 ABZA Meeting were approved.
2. Minutes

A. Approval of the Minutes from the June 25, 2020 ABZA Meeting

Upon a motion by Dan Caruso, being seconded by Sidney Shafer and unanimously carried, the Minutes from the June 25, 2020 ABZA Meeting were approved.

3. Other Business

None at this time.

4. Adjournment at 3:22 p.m.

RESPECTFULLY SUBMITTED,

____________________________
JOE VELLEMAN,
CHAIRMAN OF THE BOARD

ATTEST:

____________________________
ABBY WILES,
SECRETARY OF THE BOARD